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RUEATRS/DEPT OF TREASURY WASHDC 0442
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SIPDIS

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STATE FOR AF/S GABRIELLE MALLORY
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TAGS: KDEM PGOV KCOR MI
SUBJECT: GOVERNMENT ARRESTS MORE ALLEGED TREASON
CONSPIRATORS

REF: A. 06LILONGWE376
1B. 06LILONGWE365
1C. 05LILONGWE338
1D. 05LILONGWE15

11. (SBU) Summary: The government has arrested ten more alleged accomplices of Vice President Chilumpha, claiming that they are all linked to the VP's alleged plot to assassinate President Mutharika. Those arrested include senior members of the United Democratic Front (UDF) party, a former ambassador and two Muslim sheiks. This comes after the VP was denied bail in his treason case, and his claim of immunity was rejected by the presiding Magistrate in the case. Rumors of more arrests, including those of the former defense force commander and former inspector general of the police, are swirling through Lilongwe and Blantyre. End Summary.

12. (SBU) Malawi's private media condemned the arrests, calling Mutharika "paranoid" and "insecure." In recent days both national daily papers ran startling front page photos of the VP speaking to his family through the prison barbed wire and being bundled into the back of a police van following his appearance in court. The arrests are also being seen as another example of the government targeting Muslims (half of those arrested so far are Muslims), and will surely further estrange Mutharika's government from the Muslim community.

13. (U) Vice President Chilumpha's lawyers sought his immediate release on May 2, claiming the constitution granted the VP immunity from prosecution. Chilumpha had been granted an injunction by the high court in December 2005 that protected him from prosecution in a corruption case. However, the Magistrate ruled that the December injunction does not apply to the current treason case. The constitution clearly lays out the immunity granted to the President, but is silent on any immunity given to the VP. Chilumpha's lawyer is expected to appeal the ruling to the High Court.

14. (SBU) Comment: As the list of alleged conspirators grows, government claims about the assassination plot become less credible. Certainly among urban Malawians, the arrests are being seen as an effort to decisively quash the opposition UDF. For the GOM, it also serves the purpose of keeping former president Muluzi off the scene, as Muluzi will surely not return from his convalescence in the UK while UDF members are being arrested left and right. The arrests of the Muslim

sheiks are seen as an effort to head off public protests over Chilumpha's arrest, particularly while President Mugabe is in town. The credibility of the government's case ultimately will depend on the evidence that is presented in court.

EASTHAM